

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Tuesday, May 15, 2012

10:00 AM

**Rescheduled from the Regular Board Meeting of Thursday, May
17, 2012**

Board Room

Board of Commissioners

Commissioner Michael A. Alvarez, Commissioner Frank Avila, Commissioner Patricia Horton, Vice- President Barbara J. McGowan, Commissioner Kathleen Therese Meany, Chairman of Finance Cynthia M. Santos, Commissioner Debra Shore, Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 9 - Michael A. Alvarez; Frank Avila; Patricia Horton; Barbara J. McGowan; Kathleen Therese Meany; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

Approval of Previous Board Meeting Minutes

A motion was made by Kathleen Therese Meany, seconded by Patricia Horton, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee of the Whole

A motion was made by Kathleen Therese Meany, seconded by Barbara J. McGowan, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 11:50 a.m. President O'Brien reconvened the regular board meeting to order

Finance Committee

Report

- 1 [12-0725](#) Report on the investment interest income during April 2012

Attachments: [Attachment Investment Interest Income.PDF](#)

Published and Filed

- 2 [12-0734](#) Report on investments purchased during April 2012

Attachments: [Investments Purchased PDF](#)

Published and Filed

Authorization

- 3 [12-0736](#) Authority to add Project 11-188-2M, Elevator Upgrades at North and South Pump Houses, Main Stream Pumping Station, to the Engineering Department Capital Improvement Program and the Capital Improvements Construction Fund, estimated cost of the project is \$800,000.00

Approved

Procurement Committee

Report

- 4 [12-0748](#) Report of bid opening of Tuesday, May 8, 2012
- Published and Filed**
- 5 [12-0755](#) Amend the Report on advertisement of Request for Proposal 12-RFP-04 Human Resources Information System including Payroll and Time Management, estimated cost \$700,000.00, Account 101-27000-601170 Requisition 1338209, Agenda Item No. 10, File No. 12-0286 (*As Revised*)
- Published and Filed**
- 6 [12-0762](#) Report on advertisement of Request for Proposal 12-RFP-21 to obtain Asset Appraisal Services, estimated cost \$50,000.00, Account 101-25000-601170, Requisition 1342189
- Published and Filed**

Authorization

Authority to Advertise

- 7 [12-0737](#) Authority to advertise Contract 12-045-11 Publish Invitations for Contracts and Publish Legal Notices for Original Entrance and Promotional Civil Service Examinations and Other Legal Notices for a One (1) Year Period, estimated cost \$48,000.00, Account 101-20000-612360
- Approved**
- 8 [12-0740](#) Authority to advertise Contract 12-106-11 Furnish and Deliver Automatic Samplers, estimated cost \$48,900.00, Account 101-16000-623570, Requisition 1341450
- Approved**
- 9 [12-0761](#) Authority to advertise Contract 06-024-3M Effluent and Potable Water Piping Upgrades at the North Side Water Reclamation Plant, estimated cost \$3,750,000.00, Account 401-50000-645750, Requisition 1328793
- Approved**

- 10 [12-0774](#) Authority to advertise Contract 12-705-21 Furnish, Deliver and Install Two Sodium Bisulfite Storage Tanks at the Egan Water Reclamation Plant, estimated cost \$97,000.00, Account 201-50000-645680, Requisition 1341785
Approved

Issue Purchase Order

- 11 [12-0738](#) Issue purchase order for Contract 12-102-12, Furnish and Deliver Maintenance, Inspection and Repair of Lysimeters and Monitoring Wells for a Two-Year Period, to Practical Environmental Consultants, Inc., in an amount not to exceed \$21,000.00, Account 101-16000-612490, Requisition 1334286
Approved

- 12 [12-0778](#) Issue purchase order and enter into an agreement with Mid-America Dynamics, Inc., to provide pump monitoring and analysis services, in an amount not to exceed \$73,194.00 12-RFP-05 (10-238-1M), Account 101-50000-601410, Requisition 1324549
Approved

- 13 [12-0779](#) Issue purchase order and enter into an agreement with World Water Works, to Furnish and Deliver a Pilot Rental Agreement for a Demon Treatment System for Ammonia Removal and Pilot Study Services, in an amount not to exceed \$30,175.00, Account 101-16000-601170, Requisition 1342544
Approved

- 14 [12-0780](#) Issue purchase order and enter into an agreement for Contract 12-RFP-12 provide an Employee Assistance Program with ComPsych Corporation, for amount not to exceed \$360,000.00, Account 101-25000-612260, Requisition 1342551
Approved

Award Contract

- 15 [12-0742](#) Authority to award Contract 12-929-11, Repair Rotating Assemblies at the Stickney Water Reclamation Plant West Side Pumping Station, to Xylem Water Solutions USA, Inc., in an amount not to exceed \$85,075.00, Account 101-69000-612600, Requisition 1330854
Approved

Increase Purchase Order/Change Order

- 16 [12-0759](#) Authority to increase Contract 05-836-3D Lockport Power House Sluice Gate Replacement, South Service Area, to IHC Construction Companies, LLC in an amount of \$29,543.48, from an amount of \$13,036,567.73, to an amount not to exceed \$13,066,111.21, Account 401-50000-645720, Purchase Order 5000871
- Attachments:** [CO 05-836-3D.PDF](#)
- Approved**
- 17 [12-0743](#) Authority to decrease Contract 03-119-3D Railroad Track Improvements and Miscellaneous Work, Stickney Water Reclamation Plant, to IHC Construction Companies, LLC in an amount of \$396.00, from an amount of \$6,970,307.55, to an amount not to exceed \$6,969,911.55, Accounts 401-50000-645650 and 645750, Purchase Order 5000302
- Attachments:** [CO 03-119-3D.pdf](#)
- Approved**
- 18 [12-0744](#) Authority to decrease Contract 05-144-3D Lagoon 23 Lining and Lysimeters Installation, Lawndale Avenue Solids Maintenance Area, Harlem Avenue Solids Maintenance Area and Calumet Water Reclamation Plant, to T.J. Lambrecht Construction, Inc. in an amount of \$112,088.39, from an amount of \$11,742,171.24, to an amount not to exceed \$11,630,082.85, Accounts 401-50000-645650 and 645750, Purchase Order 5000848
- Attachments:** [CO 05-144-3D.pdf](#)
- Approved**
- 19 [12-0745](#) Authority to decrease Contract 00-275-2V R&D Facility, Calumet Water Reclamation Plant, to Rausch Construction Company in an amount of \$0.76, from an amount of \$11,756,595.52, to an amount not to exceed \$11,756,594.76, Account 401-50000-645680, Purchase Order 5000374
- Attachments:** [CO 00-275-2V.PDF](#)
- Approved**
- 20 [12-0746](#) Authority to decrease Contract 03-296-3M Installation of Central Boiler Facility, Calumet Water Reclamation Plant, to IHC Construction Companies, LLC in an amount of \$262,612.89, from an amount of \$29,515,669.48, to an amount not to exceed \$29,253,056.59, Account 401-50000-645650, Purchase Order 5000458
- Attachments:** [CO 03-296-3M.PDF](#)
- Approved**

- 21 [12-0747](#) Authority to increase Contract 07-220-3P Primary Settling Tanks and Grit Removal Facilities, Calumet Water Reclamation Plant, to F.H. Paschen/S.N. Nielsen/IHC Construction Joint Venture in an amount of \$161,082.57, from an amount of \$233,664,285.18, to an amount not to exceed \$233,825,367.75, Account 401-50000-645650, Purchase Order 5000954
- Attachments:** [CO 07-220-3P.PDF](#)
- Approved**
- 22 [12-0749](#) Authority to decrease Contract 06-153-9D Emergency Repairs to Service Tunnels A-B and C-D, Stickney Water Reclamation Plant, to IHC Construction Companies, LLC in an amount of \$50,705.27, from an amount of \$2,250,000.00, to an amount not to exceed \$2,199,294.73, Account 901-30000-667220, Purchase Order 5000593
- Attachments:** [CO 06-153-9D.pdf](#)
- Approved**
- 23 [12-0750](#) Authority to decrease Contract 02-294-3D Calumet Water Reclamation Plant Site Preparation for Improvement Contracts, to F.H. Paschen/S.N. Nielsen and Associates, LLC in an amount of \$84,150.00, from an amount of \$2,429,885.08, to an amount not to exceed \$2,345,735.08, Account 401-50000-645690, Purchase Order 5000166
- Attachments:** [CO 02-294-3D.pdf](#)
- Approved**
- 24 [12-0751](#) Authority to decrease Contract 07-160-9D Emergency Demolition of Abandoned Structure at Parcel 14.04/14.10, Kedzie Avenue, Stickney Service Area, to Brandenburg Industrial Services Company in an amount of \$30,250.00, from an amount of \$187,000.00, to an amount not to exceed \$156,750.00, Account 901-30000-667220, Purchase Order 5000676
- Approved**
- 25 [12-0752](#) Authority to decrease Contract 99-269-2P Lining of Lagoons 1 and 2, Calumet Water Reclamation Plant, to IHC Construction Companies, LLC in an amount of \$164,683.24, from an amount of \$7,936,079.79, to an amount not to exceed \$7,771,396.55, Account 401-50000-645750, Purchase Order 5000535
- Attachments:** [CO 99-269-2P.PDF](#)
- Approved**

- 26 [12-0753](#) Authority to increase Contract 99-467-2E Electrical Upgrade; Pumps, Motors and Drives Replacement, and Elevator Upgrades, Egan Water Reclamation Plant, to Divane Brothers Electric Company in an amount of \$156,867.33, from an amount of \$9,044,659.00, to an amount not to exceed \$9,201,526.33, Account 401-50000-645750, Purchase Order 5000959

Attachments: [CO 99-467-2E.PDF](#)

Approved

- 27 [12-0754](#) Authority to increase Contract 08-865-3P Aeration Tanks and Elevators Rehabilitation at North Side, Kirie, Egan & Hanover Park Water Reclamation Plants, to IHC Construction Companies, L.L.C. in an amount of \$1,138.50, from an amount of \$14,176,988.57, to an amount not to exceed \$14,178,127.07, Accounts 401-50000-645750 and 645780, Purchase Order 5001225

Attachments: [CO 08-865-3P.PDF](#)

Approved

- 28 [12-0756](#) Authority to decrease Contract 01-813-2M Centrifuge Work at Stickney Water Reclamation Plant, Calumet Water Reclamation Plant & Egan Water Reclamation Plant, New Boilers at Kirie Water Reclamation Plant, Scum and Grit Piping at Stickney Water Reclamation Plant, to Scheck Mechanical Corporation in an amount of \$12,208.02, from an amount of \$5,577,748.10, to an amount not to exceed \$5,565,540.08, Accounts 401-50000-645650 and 645750, Purchase Order 5000272

Attachments: [CO 01-813-2M.PDF](#)

Approved

- 29 [12-0757](#) Authority to decrease Contract 73-161-FH Vulcan Conveyance System and Maintenance Facilities, to Graycor Industrial Constructors in an amount of \$5,276.86, from an amount of \$30,568,905.67, to an amount not to exceed \$30,563,628.81, Account 401-50000-645620, Purchase Order 5000562

Attachments: [CO 73-161-FH.PDF](#)

Approved

- 30 [12-0758](#) Authority to increase Contract 06-363-3D Gloria Alitto Majewski Reservoir Repair and Rehabilitation, North Service Area, to IHC Construction Companies, LLC in an amount of \$40,244.00, from an amount of \$5,644,000.00, to an amount not to exceed \$5,684,244.00, Account 401-50000-645720, Purchase Order 5001286

Approved

- 31 [12-0760](#) Authority to decrease Contract 09-176-3P Sludge Thickening Facilities, Stickney Water Reclamation Plant, to McHugh Construction in an amount of \$11,245.06, from an amount of \$164,334,866.56, to an amount not to exceed \$164,323,621.50, Account 401-50000-645650, Purchase Order 5001115

Attachments: [CO 09-176-3P.PDF](#)

Approved

- 32 [12-0766](#) Authority to decrease purchase orders to W.W. Grainger, Inc., to Furnish and Deliver Maintenance, Repair and Operations (MRO) Catalog Products, under the National Joint Powers Alliance (NJPA) Cooperative Purchasing Contract #102109-WWG, in an amount of \$73,947.30, from an amount of \$207,952.44, to an amount not to exceed \$134,005.14, Accounts 101-15000, 16000, 20000, 27000, 66000, 67000, 68000, 69000 - 623070, 623090, 623110, 623270, 623660, 623680, 623700, 623780, 623810 and 623990, Purchase Orders 3068978, 3068979, 3068980, 3068981, 3068982, 3068983, 3068984 and 3068985

Attachments: [GRAINGER CHANGE ORDERS.pdf](#)

Approved

Budget & Employment Committee

Authorization

- 33 [12-0726](#) Authority to transfer 2012 departmental appropriations in the amount of \$554,000.00 in the Corporate Fund and Construction Fund

Attachments: [05.15.12 Board Transfer BF5.pdf](#)

Approved

Engineering Committee

Report

- 34 [12-0735](#) Report on change orders authorized and approved by the Director of Engineering during the month of April 2012

Attachments: [CO April.pdf](#)
 [CO Status.pdf](#)

Published and Filed

Authorization

- 35 [12-0763](#) Authorization to execute a release and settlement agreement with M&E/CDM Design Partners, to resolve the dispute relating to professional engineering design services for Contract 04-823-3P, New Preliminary Treatment Facilities at Stickney and Calumet
- Approved**

Judiciary Committee

Report

- 36 [12-0719](#) Report on the Settlement of Workers' Compensation Claims and Miscellaneous Claims under \$10,000.00
- Attachments:** [Settlements 5.15.12.pdf](#)
- Published and Filed**

Authorization

- 37 [12-0717](#) Authority to settle the Workers' Compensation claim of Gilbert Gonzalez v. MWRDGC, Case No. 11 WC 8949, Illinois Workers' Compensation Commission, in the sum of \$44,403.30. Account 901-30000-901
- Approved**

Maintenance & Operations Committee

Reports

- 38 [12-0731](#) Final report on emergency Contract 11-700-05, Repair of the Collapsed Upper Des Plaines 11D Ext F Interceptor Sewer and Hicks Road Repair and Restoration, to Sheridan Plumbing & Sewer, Inc., Purchase Order 5001264, Account 901-30000-667220
- Published and Filed**
- 39 [12-0733](#) Report on change orders authorized and approved by the Director of Maintenance and Operations during the month of April 2012.
- Attachments:** [Change orders for April 2012.pdf](#)
- Published and Filed**
- 40 [12-0739](#) Final report on emergency Contract 11-700-01, Rebuilding Primary Tank Drive #9 at the North Side Water Reclamation Plant, to A&L Contractors, Inc., Purchase Order 5001267, Account 101-67000-612650
- Published and Filed**

Real Estate Development Committee

Authorization

- 41 [12-0721](#) Authorize the Village of Worth to conduct its annual Worth Days festival from August 9-12, 2012, on approximately 20 acres of its leasehold property located at 115th Street and Oketo Avenue in Worth, Illinois, Cal-Sag Channel Parcel 8.06. Consideration shall be a nominal fee of \$10.00.
- Attachments:** [05-15-12_Worth Days.pdf](#)
- Approved**
- 42 [12-0722](#) Authority to issue a 6-month permit extension to Albany Auto Sales to continue to access, use, and maintain a boat dock on approximately 2,009 square feet of District real estate located along the North Branch of the Chicago River adjacent to 4030 North Rockwell Street in Chicago. Consideration shall be \$2,500.00.
- Attachments:** [05-15-12_Alban Auto Sales.pdf](#)
- Approved**
- 43 [12-0723](#) Authority to issue a 6-month permit extension to Ravenswood Boatyard, LLC to access, use, and maintain a boat dock on approximately 7,186 square feet of District real estate located along the North Branch of the Chicago River adjacent to 4130 North Rockwell in Chicago. Consideration shall be \$5,800.00
- Attachments:** [05-15-12_Ravenswood Boatyard LLC.pdf](#)
- Approved**
- 44 [12-0727](#) Authorize and approve entry into a 5-year easement agreement with Commonwealth Edison Company for District use of an approximately 50-foot x 50-foot parcel of ComEd land located at Foundry and Wolf Roads in Des Plaines, Illinois, for a chemical dosing station. Consideration shall be an initial annual fee of \$2,000.00.
- Attachments:** [05-15-12_ComEd.pdf](#)
- Approved**

- 45 [12-0728](#) Authority to issue a 9-month permit to the Village of Lemont to use a 1-acre portion of Main Channel Parcel 23.04 located along the south bank of the Main Channel and east of the Lemont Road Overpass in Lemont, Illinois, for the storage of approximately 2,000 tons of road salt. Consideration shall be \$6,500.00.

Attachments: [05-15-12_Village of Lemont.pdf](#)

Approved

- 46 [12-0729](#) Authority to issue a 5-month permit extension to LaBarge Propane, Inc. for the continued use of 1.5 acres of District real estate located at 15680 Canal Bank Road in Lemont, Illinois; part of Main Channel Parcel 23.01. Consideration shall be \$5,445.00.

Attachments: [05-15-12_LaBarge Propane.pdf](#)

Approved

- 47 [12-0775](#) Authority to issue a two-year, 45-day permit to the United States Marine Corps' to use North Shore Channel Parcel 9.14 for parking , training events, and storage of gear in box containers. Consideration shall be a nominal fee of \$10.00

Attachments: [Attachment USMC 5.15.12.pdf](#)

Approved

- 48 [12-0776](#) Authority to issue a 17½-month permit extension agreement to Christy Webber Landscapes for continued use of District property located at Cal-Sag Channel and Ridgeland Avenue, Palos Heights, Illinois. Consideration shall be \$95,500.00

Attachments: [Attachment CWL 5.15.12.pdf](#)

Approved

- 49 [12-0777](#) Authority to pay 2011 real estate taxes in the amount of \$506,169.40 for Metropolitan Water Reclamation District of Greater Chicago's real estate located in Will County, Illinois; Account 101-30000-667130.

Approved

- 50 [12-0781](#) Authority to pay 2011 real estate taxes in the amount of \$14,057.62 for Metropolitan Water Reclamation District of Greater Chicago's real estate located in DuPage County, Illinois; Account 101-30000-667130.

Approved

- 51 [12-0782](#) Authority to pay 2011 real estate taxes in the amount of \$62,599.90 for Metropolitan Water Reclamation District of Greater Chicago's real estate located in Fulton County, Illinois; Account 101-30000-667130.
- Approved

Miscellaneous and New Business

Ordinance - Prevailing Wage Rate

- 52 [PWR12-001](#) Adoption of Prevailing Wage Act Ordinance (*As Revised*)
- Attachments: [PWR12-001 Board Letter](#)
 [PWR12-001 Ordinance](#)
- A motion was made by Debra Shore, seconded by Patricia Horton, that this Prevailing Wage Rate Ordinance be Adopted. The motion carried by the following roll call vote:**
- Aye:** 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Additional Agenda Items

- 53 [12-0784](#) Authorization to amend Board Order of April 19, 2012, regarding issue purchase order and enter into an agreement for Contract 12-RFP- 11 Third-Party Administrator for Flexible Spending Account Administration, with eflexgroup.com to provide third-party administrative services for the flexible spending account program from July 1, 2012 to June 30, 2017 for a total estimated cost of \$171,050.00, Account 101-25000-601170, File No. 12-0628
- Approved

Approval of the Consent Agenda with the exception of Items: 52 and 54

A motion was made by Cynthia M. Santos, seconded by Frank Avila, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

- 54 [12-0785](#) MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to Commissioner Frank Avila and his family on the passing of his brother Commander Richard Frank Avila, United States Navy, Retired
- A motion was made by the Frank Avila, seconded by the Board of Commissioners that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays**

Meeting Summary

Speakers

George Blakemore, concerned citizen, voiced concerns on various items (Re: Real Estate Items 41 and 46)

Brendan O'Connor, Senior Assistant Attorney for the District, addressed the Board regarding proposed House Bill 3637

Summary of Requests

David St. Pierre

- 1. Kathleen Therese Meany requested a report to the board on how often and under what terms do we use video surveillance (Re: Judiciary Item #36)*
- 2. Debra Shore requested the District participate in the event (Re: Real Estate Item #41)*
- 3. Terrence J. O'Brien requested the District contact the IEPA to verify stormwater agreement (Re: Real Estate Item #45)*
- 4. The Executive Director will circulate a report issued by the Great Lakes Commission regarding the separation of the Watersheds*
- 5. Mariyana T. Spyropoulos will provide a report from the Public Building Commission of Chicago regarding shell contractors*
- 6. Debra Shore requested a report on expanding the prescription drug take back program*

Study Session

A Study Session will be held for the Committee on Pension, Human Resources and Civil Service on Thursday, June 21, 2012 at 2:00 p.m. at 100 E. Erie, Chicago Illinois. The purpose of the Study Session is to review the 2011 Actuarial Valuation Report for the District's Retiree Health Care Liability and to review the Strategies for Investing in Volatile Financial Markets.

James Dencek will survey the Board for a mutually convenient date to schedule a Study Session to discuss Change Orders.

Announcements

The Board will take a boat tour on June 7, 2012, after the Board Meeting

Board Letter Submission Dates

The next regular board meeting is scheduled for June 7, 2012, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation by: May 25, 2012

Date Board letters are due to the Executive Director for signature by May 29, 2012 at 4:00 p.m., all letters are due: May 30, 2012 at 1:00 p.m.

Adjournment

A motion was made by Patricia Horton, seconded by Barbara J. McGowan, that when the Board adjourns it adjourns to meet on Thursday, June 7, 2012, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this May 15, 2012 are hereby approved.

APPROVED:

/s/ Terrence J. O'Brien

President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

May 15, 2012